

## Message Text

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ACTION ACDA-10

INFO OCT-01 ISO-00 IO-13 AF-08 ARA-06 EA-07 EUR-12 NEA-10

CIAE-00 INR-07 L-03 NSAE-00 NSC-05 EB-08 NRC-05

OES-06 FEAE-00 DODE-00 ERDA-05 SS-15 PM-04 SP-02

OIC-02 /129 W

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FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 0687

INFO AMEMBASSY BERLIN

AMEMBASSY BERN

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CAPETOWN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY PRETORIA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY THE HAGUE

AMEMBASSY TOKYO

AMEMBASSY WARSAW

C O N F I D E N T I A L SECTION 1 OF 2 IAEA VIENNA 0852

PASS IO/SCT

ALSO PASS NRC

EO 11652: NA

TAGS: ENRG, PARM, TECH

SUBJECT: FEBRUARY 2 MEETING OF NPT EXPORTERS (ZANGGER) COMMITTEE

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REF: A) STATE 021597, B) IAEA VIENNA 0070 (NOTAL), C) IAEA

VIENNA 0388 (NOTAL), D) 76 IAEA VIENNA 7591 (NOTAL)

E) 75 IAEA VIENNA 1773 (NOTAL)

SUMMARY: FULL MEETING OF ZANGGER COMMITTEE WHICH  
CONVENED ON FEB. 2 AGREED ONLY TO EXTEND ITS UNDER-  
TAKINGS FOR ANOTHER YEAR. ACTION ON UK PROPOSAL

TO AMEND TRIGGER LIST TO CONFORM TO TRIGGER LIST OF LONDON NUCLEAR SUPPLIER GROUP (NSG) WAS DEFERRED FOR RECONSIDERATION AT JUNE MEETING OF COMMITTEE, DUE PRINCIPALLY TO SWISS UNWILLINGNESS ACCEPT ALL PROPOSED CHANGES. COMMITTEE ALSO AGREED ESTABLISH TECHNICAL WORKING GROUP TO ATTEMPT RESOLVE DIFFERENCES BEFORE JUNE MEETING. AT MISSION INSISTENCE, REP OF SOUTH AFRICA WAS INVITED TO ATTEND AS OBSERVER. END SUMMARY.

1. SOUTH AFRICAN ATTENDANCE: FIRST FULL-DRESS MEETING OF ZANGGER COMMITTEE SINCE FALL OF 1974, LASTING ALMOST THREE HOURS, TOOK PLACE FEB. 2 WITH PROF. ZANGGER IN CHAIR AND ATTENDED BY REPS OF ALL 20 STATES WHO HAVE EXCHANGED PRESCRIBED NOTES AND MEMORANDA PLUS REP OF ITALY AND, AS OBSERVER, REP OF SOUTH AFRICA (AMB. VON SCHIRNDING). INVITATION TO SOUTH AFRICA TO ATTEND WAS EXTENDED AT LAST MINUTE AND AS DIRECT RESULT OF U.S. INTERVENTION.

2. ON FEB. 1, MISSION LEARNED THAT THE SECRETARY OF COMMITTEE (SLATER, UK), ON INSTRUCTION FROM LONDON, HAD NOT NOTIFIED SOUTH AFRICAN MISSION OF FEB. 2 MEETING. SLATER EXPLAINED THAT FACTOR UNDERLYING THIS INSTRUCTION WAS ANXIETY IN LONDON THAT PRESENCE AT MEETING OF REP OF SAG COULD PROMPT WALKOUT OF SOVIETS AND OTHER EASTERN EUROPE REPS (AS FAR AS SLATER KNEW THIS ANXIETY CONFIDENTIAL

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WAS NOT BASED ON SOVIET STATEMENTS ON THE QUESTION.) DRAWING ON INSTRUCTIONS CONTAINED PARA 5, REF A, MISOFF NOTED THAT ARBITRARY OMISSION OF SOUTH AFRICA FROM INVITATION LIST WAS INCONSISTENT WITH ITS STATUS AS OBSERVER AT COMMITTEE MEETINGS, IGNORED SAG'S FORMALLY EXPRESSED WISH "TO CONTINUE ATTENDING MEETINGS OF THE COMMITTEE AS AN OBSERVER" (REPORTED REF E AND CIRCULATED TO ALL MEMBERS AS DOCUMENT ZC(75)/2), AND RAN CMQER TO U.S. INTEREST IN PRESERVING PARTICIPATION OF SAG IN WORK OF COMMITTEE, IF ONLY AS OBSERVER FOR THE PRESENT.

3. SLATER BEING UNABLE TO REVERSE HIS INSTRUCTIONS, PROF. ZANGGER PHONED ME AT SLATER'S SUGGESTION LATER IN DAY TO REPEAT UNSPECIFIED CONCERN THAT SOVIETS WOULD NOT TOLERATE PRESENCE OF SAG REP. HE ALSO STATED THAT "THERE WERE NO PROVISIONS FOR OBSERVERS" IN ZANGGER MEETINGS. I CORRECTED HIM

ON LATTER POINT, (SOUTH AFRICA AND NW ZEALAND AT ONE POINT HAD BOTH BEEN OBSERVERS) AND NOTED THAT SOVIETS HAD REGISTERED NO OBJECTION TO SAG EXPRESSED WISH TO CONTINUE AS OBSERVER (WHICH ZANGGER HAD APPARENTLY FORGOTTEN). I ALSO INDICATED THAT INVITATION TO ITALY, WHICH HAD NOT EXCHANGED PRESCRIBED NOTES WITH OTHER MEMBERS OR PROVIDED ANNUAL RETURNS CALLED FOR, WAS EQUALLY DIFFICULT TO RECONCILE WITH ARBITRARY EXCLUSION OF SAG. IN RESPONSE TO HIS REQUEST THAT MISSION SOULD OUT SOVIETS, I REPLIED THAT THIS WAS MATTER BEST LEFT TO HIM, BUT WE WOULD EXPECT TO SEE REP OF SAG AT MEETING UNLESS I HEARD OTHERWISE FROM HIM, IN WHICH CASE I MIGHT HAVE TO SEEK NEW INSTRUCTIONS RE U.S. PARTICIPATION IN THIS MEETING.

4. ZANGGER EXTENDED INVITATION TO VON SCHIRNDING  
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EVENING OF FEB. 1. VON SCHIRNDING ATTENDED MEETING OF COMMITTEE FEB. 2 AS SILENT OBSERVER. HIS PRESENCE CAUSED NO RPT NO NOTICEABLE REACTION ON PART OF SOVIETS (RHYZOV AND ZOBOV) OR OTHER EE PARTICIPANTS.

5. AGENDA- REVIEW OF PAST OPERATIONS: FOLLOWING INTERVENTIONS BY REPS OF SEVERAL MEMBERS TO CORRECT SMALL INACCURACIES IN INFO RE CURRENT STATUS OF MEMBERS UNDERTAKINGS CONVEYED IN ZC(77)/2, ITALIAN REP (ZAMBONI) TOOK FLOOR TO DELIVER STATEMENT TO AFFECT THAT GOI STILL HAD "TECHNICAL DIFFICULTIES" WITH ZANGGER UNDERTAKINGS WHICH IT HOPED TO RESOLVE BEFORE NEXT COMMITTEE MEETING; IN MEANTIME, GOI HOPED THAT ITALY'S PARTICIPATION IN LONDON NSG WOULD BE TAKEN AS ASSURANCE THAT ITALY "WELL ORIENTED" TOWARD ZANGGER ACTIVELY. (COMMENT: AS REPORTED BY MISSION IN REF D, ZAMBONI ASSURED MISOFF LAST SEPTEMBER THAT GOI WOULD EXCHANGE NOTES "SOON". NOTE THAT ZANGGER EXCHANGES CONSTITUTE SERIES OF FORMAL RPT FORMAL BILATERAL UNDERTAKINGS BETWEEN GOVERNMENTS, WHEREAS LONDON UNDERTAKINGS AT THIS STAGE DO NOT, WHICH MAY ACCOUNT FOR ITALY'S "PROBLEMS". END COMMENT).

6. UNDER THIS SAME AGENDA ITEM, REP. OF NETHERLANDS DREW ATTENTION TO FACT THAT FRENCH AND APPARENTLY, RUSSIAN AND SPANISH TEXTS OF PARA 5 OF MEMORANDUM A OF INFCIRC/209 (PROVISION ON RETRANSFER OF NUCLEAR MATERIAL FROM NUCLEAR WEAPON STATE NON-PARTY TO NPT TO NNWS NON-PARTY)

WERE NOT IN CONFORMANCE WITH CORRECT ENGLISH TEXT.  
COMMITTEE REQUESTED SECRETARY TO SEEK CORRECTION  
BY AGENCY SECRETARIAT.

7. FUTURE ACTIVITIES: CONSENSUS WAS REACHED  
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QUICKLY AND WITHOUT DISSENT ON PROPOSAL PUT FORWARD BY CANADA TO EXTEND ZANGGER COMMITTEE UNDERTAKINGS THROUGH MARCH, 1978. MAJOR PORTION OF REMAINDER OF COMMITTEE DISCUSSION ADDRESSED UK PROPOSAL TO AMEND TRIGGER LIST ALONG LINES OF PART A OF NSG TRIGGER LIST (REF C). U.S. REP STATED THAT U.S. WAS PREPARED SUPPORT EXTENSION OF DURATION ZANGGER COMMITMENTS AS WELL AS CHANGES IN TRIGGER LIST AS PROPOSED BY UK, ADDING THAT U.S. HOPED FOR CONTINUED GROWTH IN ZANGGER COMMITTEE PARTICIPATION. IN ENSUING DISCUSSION, ALL BUT FIVE OF 21 PARTICIPANTS INDICATED UNRESERVED ACCEPTABILITY OF UK PROPOSAL. DEPARTMENT SHOULD NOTE THAT THREE OF THOSE MEMBERS WERE ALREADY MEMBERS OF NSG (ITALY, BELGIUM, JAPAN), AND ONLY TWO WERE NOT NSG MEMBERS. (SWITZERLAND, AUSTRIA) ALL OTHER PARTICIPANTS REPRESENTING STATES NOT RPT NOT MEMBERS OF NSG (AUSTRALIA, NORWAY, FINLAND, DENMARK, IRELAND, LUXEMBOURG) SIGNIFIED ACCEPTABILITY OF UK PROPOSAL.

8. JAPANESE RESERVATION WAS WELL-REASONED AND MAINLY PROCEDURAL. WITH REGARD TO PROPOSAL TO ADD "PLANTS FOR PRODUCTION OF HEAVY WATER...ETC." TO TRIGGER LIST, REP OF JAPAN (YATABE) NOTED THAT IN CONNECTION WITH NPT RATIFICATION HEARINGS, GOJ HAS ASSURED DIET THAT SUCH PLANTS WERE NOT RPT NOT WITHIN SCOPE OF ARTICLE III.2 UNDERTAKINGS. THEREFORE, WHILE GOJ WAS PREPARED TO EXCHANGE CONFIDENTIAL NOTES

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/127 W

-----031802Z 041387 /42

P R 031454Z FEB 77  
FM USMISSION IAEA VIENNA  
TO SECSTATE WASHDC PRIORITY 0688  
INFO AMEMBASSY BERLIN  
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AMEMBASSY STOCKHOLM  
AMEMBASSY THE HAGUE  
AMEMBASSY TOKYO  
AMEMBASSY WARSAW

C O N F I D E N T I A L SECTION 2 OF 2 IAEA VIENNA 0852

PASS IO/SCT

ALSO PASS NRC

WITH OTHER MEMBERS INCLUDING HEAVY WATER PLANTS  
AS ITEM, EXPORT OF WHICH WOULD REQUIRE  
SAFEGUARDS, IT COULD NOT SO INFORM DG PUBLICLY.  
REP. OF ITALY MADE CURIOUS OBSERVATION THAT WHILE  
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GOI COULD ACCEPT UK PROPOSAL IN PRINCIPLE, GOI  
WOULD REQUIRE NEW LEGISLATION TO IMPLEMENT PROPOSED  
CHANGES IN TRIGGER LIST. BELGIAN REP, (A MEMBER  
OF NSG AS IS ITALY), SUGGESTED WITH REFERENCE TO  
UK PROPOSAL "(C)" THAT LAST EQUIPMENT ITEM BE  
AMENDED TO ADD PHRASE "NON STATIC OR MECHANICAL"  
BEFORE WORDS "SEALS ESPECIALLY DESIGNED FOR SUCH  
COMPRESSORS". (COMMENT: QUERIED BY MISOFF AFTER  
MEETING AS TO HOW GOB RECONCILED ITS PROPOSED  
CHANGE IN WORDING OF NSG TRIGGER LIST WITH ITS  
ADHERENCE TO NSG UNDERTAKINGS, BELGIAN REP REPLIED  
THAT HIS GOVERNMENT "HAD NOT TAKEN PART IN FORMULA-

TION OF LONDON TRIGGER LIST". END COMMENT)

9. PRINCIPAL OBSTACLE TO CONSENSUS

ON REVISED TRIGGER LIST WERE VIEWS OF SWISS DEL (ZANGGER, VON ARX, VON SCHENK), WHICH INDICATED THAT WHILE SWITZERLAND COULD ACCEPT AMENDMENT (A)- A MINOR WORDING CHANGE-IT COULD NOT AGREE TO INCLUDING, AS PART OF ZANGGER UNDERTAKING, HEAVY WATER PLANTS ON GROUNDS THAT THIS CATEGORY OF EXPORTED COMMODITY WENT BEYOND ARTICLE III.2 UNDERTAKING, EVEN THOUGH GOS WOULD BE PREPARED, FOLLOWING NPT ADHERENCE, TO ACCEPT IT AS PART OF NSG UNDERTAKINGS SHOULD GOS BECOME A MEMBER OF THAT GROUP. MORE TROUBLESOME PROBLEM WAS POSED BY SWISS DEL INSISTENCE ON WHAT IT VIEWED AS GREATER "SPECIFICITY" IN PROPOSED ADDITIONAL ITEMS OF EQUIPMENT (AMENDMENT C); I.E., RELATING SIX OUT OF SEVEN ITEMS OF EQUIPMENT LISTED IN THAT SECTION OF NSG TRIGGER LIST TO HANDLING OR PROCESSING OF URANIUM HEXAFLUORIDE (COPIES OF SWISS PROPOSED AMENDMENT TO WORDING POUCHED DEPARTMENT). SWISS ASSERTED THAT IN ABSENCE OF SWISS KNOWLEDGE OF ENRICHMENT TECHNOLOGY, GOS WOULD REQUIRE SPECIFIC DESCRIPTIONS OF ITEMS IN ORDER IMPLEMENT PROPOSED

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REVISION OF ZANGGER TRIGGER LIST. AUSTRIAN REP ASSOCIATED HIMSELF WITH SWISS REMARKS.

10. U.S. REP (LABOWITZ), SUPPORTED BY REP OF FRG, POINTED OUT THAT CHANGES PROPOSED BY SWISS WOULD ADD YET ANOTHER CRITERION FOR TRIGGERING OF SAFEGUARDS ON EXPORTED ENRICHMENT-RELATED EQUIPMENT; I.E., ZANGGER MEMBER COULD INTERPRET TRIGGER LIST "CLARIFICATION" IN A MANNER SUCH AS TO PERMIT EXPORT, WITHOUT SAFEGUARDS, OF "EQUIPMENT,.....ESPECIALLY DESIGNED OR PREPARED FOR THE SEPARATION OF ISOTOPES OF URANIUM". SO LONG AS SUCH EQUIPMENT NOT SPECIFICALLY DESIGNED FOR U.S. HE ALSO POINTED OUT THAT WORDING OF UK PROPOSED CHANGE DOUBTLESS HAD BEEN CAREFULLY WORKED OUT AND THAT COMMITTEE SHOULD NOT BE CALLED UPON TO RESOLVE A DRAFTING PROBLEM OF GOS IN DRAWING UP DOMESTIC EXPORT REGULATIONS. USSR REP EXPRESSED AGREEMENT WITH U.S. STATEMENT.

1. COMMITTEE CONCURRED WITH PROPOSAL OF SWISS REP THAT WORKING GROUP OF COMMITTEE MEET IN LATE APRIL TO ATTEMPT RECONCILE DIFFERENCES AND REPORT TO A LATER MEETING OF COMMITTEE IN JUNE.

U.S. REP, PURSUANT DEPARTMENT'S SUGGESTION PARA 4  
REF A ENDORSED IDEA OF MEETING OF TECHNICAL EXPERTS,  
OPEN TO PARTICIPATION BY ALL MEMBERS OF COMMITTEE,  
PRIOR TO JUNE MEETING, AND, IN RESPONSE TO UK  
SUGGESTIONS, UNDERTOOK TO COORDINATE ARRANGEMENTS  
FOR THIS MEETING (SEE PARA 15 BELOW).

12. FINAL ITEM-REVIEW OF PROCEDURES: IN  
ADDITON TO CONFIRMING EARLIER CONSENSUS TO PROLONG  
LIFE OF COMMITTEE FOR ANOTHER YEAR AND TO HAVE  
ANOTHER TRY AT REVISING TRIGGER LIST IN JUNE  
FOLLOWING CONSIDERATION BY "TECHNICAL COMMITTEE",  
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COMMITTEE ADOPTED PROPOSAL BY NETHERLANDS TO  
CONSIDER SUGGESTIONS FOR FACILITATING FUTURE  
OFFICIAL EXCHANGES OF COORDINATED BILATERAL UNDER-  
TAKINGS IN ORDER TO DISPENSE WITH CUMBERSOME  
MECHANISM OF EXCHANGES OF NOTES IN CAPITALS. U.S. REP  
SUPPORTED THIS AND AGREED TO CONSULT WITH UK AND  
NETHERLANDS REP WITH VIEW TO MAKING RECOMMENDATION BY  
NETHERLANDS TO JUNE MEETING OF COMMITTEE (WILL REPORT SEPTTEL).

13. AT CONCLUSION OF MEETING, CHAIRMAN REVERTED  
TO QUESTION OF POSSIBLE EXPANSION OF ZANGGER COM-  
MITTEE. U.S. REP EXPANDED ON HIS EARLIER REMARKS,  
AND OBSERVED THAT U.S. WOULD WELCOME LARGER MEMBERSHIP  
INCLUDING PARTICIPATION BY STATES WHO, THOUGH NOT YET PARTIES  
TO NPT, FOUND THEMSELVES IN POSITION TO DECLARE  
ADHERENCE TO INFCIR/209 UNDERTAKINGS.

14. COMMENT: DISCUSSIONS SUMMARIZED ABOVE CONFIRM  
MISSION'S MISGIVINGS REPORTED REF B. ORIGINAL  
CANADIAN APPROACH, REPORTED BY DEPARTMENT (BUT  
APPARENTLY CANCELLED AT LAST MINUTE), OBVIOUSLY  
NEVER WOULD HAVE GOTTEN OFF THE GROUND. SWISS  
"RESERVATIONS", WHICH SURFACED HERE LESS THAN  
24 HOURS BEFORE MEETING CONVENED, EFFECTIVELY  
BLOCKED IMPLEMENTATION EVEN OF FAR MORE LIMITED  
PROPOSALS. CLEARLY, THESE DISCUSSIONS RAISE  
QUESTIONS REGARDING FUTURE RELATIONSHIP OF ZANGGER  
COMMITTEE TO NSG, IF NOT OF COHESIVENESS OF NSG  
ITSELF. FIRST, IT WOULD APPEAR THAT, AS OF NOW,  
SWITZERLAND (AND PERHAPS AUSTRIA) WOULD RESPOND  
TO INVITATION TO JOIN NSG WITH AN EXPECTATION OF  
RE-NEGOTIATING PAINFULLY ACHIEVED NSG TRIGGER  
LIST. TAKING INTO ACCOUNT HISTORIC SWISS VIEW THAT  
INFCIRC/209 UNDERTAKINGS REPRESENT MAXIMUM LIMITS  
OF RESTRAINT IN THEIR EXPORT POLICY, THIS COULD  
ARGUE FOR CONTINUED COEXISTENCE OF ZANGGER

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COMMITTEE AND NSG BUT WITH NON-IDENTICAL MEMBERSHIPS AND OBJECTIVES, THE FORMER CONCERNED WITH UNDERTAKINGS LIMITED IN STRICTEST LEGAL SENSE TO MINIMUM STANDARDS OF BEHAVIOR PURSUANT TO ARTICLE III.2 OF NPT. REMARKS OF REP OF ITALY, AND PARTICULARLY BELGIUM, SUGGEST THAT ANY NOTION OF USING ZANGGER COMMITTEE TO AUTOMATICALLY ENDORSE AND ADOPT DECISIONS MADE IN LONDON IS VERY QUESTIONABLE; ON THE CONTRARY, THEY SUGGEST THAT SAME STATES EVEN NOW COMMITTED TO ZANGGER FORUM TO ATTEMPT TO UNDO TO THEIR OWN ADVANTAGE WHAT HAS BEEN ACCOMPLISHED BY THE NSG.

15. ACTION REQUESTED: REGARDING "TECHNICAL COMMITTEE" REFERRED TO IN PARA 11 ABOVE, ZANGGER INDICATES HIS AVAILABILITY DATES TO BE DURING WEEKS OF APRIL 18 AND 25. MISSION RECOMMENDS U.S. ACCOMMODATE THAT SCHEDULE AND STRONGLY RECOMMENDS THAT U.S. PARTICIPANT(S) BE FROM AMONG THOSE WHO REPRESENTED U.S. IN NSG WORKING GROUP WHICH DEVELOPED NSG TRIGGER LIST. PLEASE ADVISE RE WHICH DATES DURING THOSE TWO WEEKS ARE MOST CONVENIENT FOR SUCH U.S. ATTENDEES. CHAIRMAN HAS REQUESTED THAT FIRM DATE BE COMMUNICATED TO MEMBERS NLT FEBRUARY 17. STONE

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## Message Attributes

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**TAGS:** ENRG, PARM, TECH  
**To:** STATE  
**Type:** TE  
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